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United States of America

FILED  
08 APR 22 PM 2:09  
RICHARD H. WILKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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6  
7 IN THE UNITED STATES DISTRICT COURT  
8 FOR THE NORTHERN DISTRICT OF CALIFORNIA

SLM

9  
10 UNITED STATES OF AMERICA,

CV 08

Case No.

2089

11 Plaintiff,

12 v.

COMPLAINT

(Student Loan\Debt Collection Case)

13 MATTHEW D. BREKHUS aka MATTHEW BREKHUS,

14 Defendant(s).  
15

Plaintiff, through its attorney, alleges:

16 1. Jurisdiction: The Court has jurisdiction of this action under 28 U.S.C. Section  
17 1345.

18 2. Defendant resides in the Northern District of California.

19 3. Defendant owes plaintiff \$48,035.29, plus additional interest according to the  
20 Certificate of Indebtedness, a copy of which is annexed hereto as Exhibit A.

21 WHEREFORE, plaintiff demands judgment against defendant for the sum of  
22 \$48,035.29, additional interest to the date of judgment, attorney's fees in the amount of  
23 33.33% of the debt, and court costs.

24  
25 Date: April 18, 2008

  
LAW OFFICE OF MICHAEL COSENTINO  
By: MICHAEL COSENTINO  
Attorney for the Plaintiff  
United States of America

U. S. DEPARTMENT OF EDUCATION  
SAN FRANCISCO, CALIFORNIA

## CERTIFICATE OF INDEBTEDNESS #1 OF 1

Matthew D. Brekhuis  
Aka: Matthew Brekhuis  
468 Calle De La Mesa  
Novato, CA 94949-5955  
Account No. SSN 11585

I certify that Department of Education records show that the borrower named above is indebted to the United States in the amount stated below plus additional interest from 08/30/07.

On or about 04/24/02, the borrower executed a promissory note to secure a Direct Consolidation loan from the U.S. Department of Education. This loan was disbursed for \$48,035.29 on 07/02/02, at 8.25 percent interest per annum. The loan was made by the Department under the William D. Ford Federal Direct Loan Program under Title IV, Part D of the Higher Education Act of 1965, as amended, 20 U.S.C. 1087a et seq. (34 C.F.R. Part 685). The Department demanded payment according to the terms of the note, and the borrower defaulted on the obligation on 05/11/03. Pursuant to 34 C.F.R. § 685.202(b), a total of \$0.00 in unpaid interest was capitalized and added to the principal balance.

The Department has credited a total of \$0.00 in payments from all sources, including Treasury Department offsets, if any, to the balance. After application of these payments, the borrower now owes the United States the following:

Principal:	\$48,035.29
Interest:	\$20,472.29

Total debt as of 08/30/07:	\$68,507.58
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Interest accrues on the principal shown here at the rate of \$10.85 per day.

Pursuant to 28 U.S.C. § 1746(2), I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 10/23/07


  
Loan Analyst  
Litigation Support

EXHIBIT A